IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 20131 of 2005

Between:

J.Kondameeda Rayudu

..... PETITIONER

AND

The Joint Collector
O/o. The District Collector Ananthapur District
Ananthapur and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 1st respondent in passing the order in Rc.No.K4/ATP/935/05, dated 07.09.2005 in so far as directing the 2nd respondent to allot the fair price shop dealership of Kakkalapalli village, Anantapur District to a neighbouring fair price shop dealer by removing the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The learned counsel for the petitioner contended that in the appeal filed by the dealer, the 1st respondent-Joint Collector has no authority to take a different decision with regard to temporary distribution of essential commodities.

On the other hand, the learned Government Pleader for Civil Supplies contended that the petitioner has no right to challenge the order of the Joint Collector in view of the fact that the Joint Collector is the authority who can arrange the distribution of essential commodities on temporary basis depending on various facts and circumstances.

As rightly contended by the learned Government Pleader for Civil Supplies, no right of the petitioner has been infringed so as to issue a mandamus to the respondents. Even assuming for a moment that the Joint Collector has no authority to change the dealership from the petitioner to another person temporarily, that does not confer any right to the petitioner so as to file a writ petition. It is for the Joint Collector to take appropriate decision depending upon location of the fair price shop and also the distribution of essential commodities. Therefore, in the absence of infringement of any legal right of the petitioner, the writ petition is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

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K.C. BHANU,J

Dated: 13.09.2005

Dsr